

YOUNG CONAWAY STARGATT & TAYLOR, LLP

BEN T. CASTLE
SHELDON N. SANDLER
RICHARD A. LEVINE
RICHARD A. ZAPPA
FREDERICK W. IOBST
RICHARD H. MORSE
DAVID C. MCBRIDE
JOSEPH M. NICHOLSON
CRAIG A. KARSNITZ
BARRY M. WILLOUGHBY
JOSEPH W. INGERSOLL
ANTHONY G. FLYNN
JEROME K. GROSSMAN
EUGENE A. DIPRINZIO
JAMES L. PATTON, JR.
ROBERT L. THOMAS
WILLIAM D. JOHNSTON
TIMOTHY J. SNYDER
BRUCE L. SILVERSTEIN
WILLIAM W. BOWSER
LARRY J. TARABICOS
RICHARD A. DILIBERTO, JR.
MELANIE K. SHARP
CASSANDRA F. ROBERTS
RICHARD J.A. POPPER
TERESA A. CHEEK
NEILLI MULLEN WALSH

JANET Z. CHARLTON
ROBERT S. BRADY
JOEL A. WAITE
BRENT C. SHAFFER
DANIEL P. JOHNSON
CRAIG D. GREAR
TIMOTHY JAY HOUSEAL
MARTIN S. LESSNER
PAULINE K. MORGAN
C. BARR FLINN
NATALIE WOLF
LISA B. GOODMAN
JOHN W. SHAW
JAMES P. HUGHES, JR.
EDWIN J. HARRON
MICHAEL R. NESTOR
MAUREEN D. LUKE
ROLIN P. BISSELL
SCOTT A. HOLT
JOHN T. DORSEY
M. BLAKE CLEARY
CHRISTIAN DOUGLAS WRIGHT
DANIELLE GIBBS
JOHN J. PASCHETTO
NORMAN M. POWELL
ELENA C. NORMAN

THE BRANDYWINE BUILDING
1000 WEST STREET, 17TH FLOOR
WILMINGTON, DELAWARE 19801

P.O. BOX 391
WILMINGTON, DELAWARE 19899-0391

(302) 571-6600
(800) 253-2234 (DE ONLY)
FAX: (302) 571-1253

110 WEST PINE STREET
P.O. BOX 594
GEORGETOWN, DELAWARE 19947

(302) 856-3571
(800) 255-2234 (DE ONLY)
FAX: (302) 856-9338

WWW.YOUNGCONAWAY.COM

DIRECT DIAL: 571-5008
DIRECT FAX: 576-3476
mdibianca@ycst.com

JOSEPH M. BARRY
SEAN M. BEACH
SANJAY BHATNAGAR
DONALD J. BOWMAN, JR.
TIMOTHY P. CAIRNS
JEFFREY T. CASTELLANO
KARA HAMMOND COYLE
KRISTEN SALVATORE DEPALMA
MARGARET M. DIBIANCA
MARY F. DUGAN
ERIN EDWARDS
KENNETH J. ENOS
IAN S. FREDERICKS
JAMES J. GALLAGHER
SEAN T. GREECHER
STEPHANIE L. HANSEN
DAWN M. JONES
KAREN E. KELLER
JENNIFER M. KINKUS
EDWARD J. KOSMOWSKI
JOHN C. KUFFEL
KAREN LANTZ
TIMOTHY E. LENGKEEK

SPECIAL COUNSEL
JOHN D. MCLAUGHLIN, JR.
KAREN L. PASCALE
PATRICIA A. WIDDOSS

ANDREW A. LUNDGREN
MATTHEW B. LUNN
JOSEPH A. MALFITANO
ADRIA B. MARTINELLI
MICHAEL W. MCDERMOTT
MARIBETH L. MINELLA
EDMON L. MORTON
D. FON MUTTAMARA-WALKER
JENNIFER R. NOEL
ADAM W. POFF
SETH J. REIDENBERG
SARA BETH A. REYBURN
CHERYL A. SANTANIELLO
(NJ & PA ONLY)
MICHELE SHERRETTA
MONTÉ T. SQUIRE
MICHAEL P. STAFFORD
CHAD S.C. STOVER
JOHN E. TRACEY
TRAVIS N. TURNER
MARGARET B. WHITEMAN
SHARON M. ZIEG

SENIOR COUNSEL
CURTIS J. CROWTHER

OF COUNSEL
BRUCE M. STARGATT
STUART B. YOUNG
EDWARD B. MAXWELL, 2ND

January 23, 2007

BY E-FILE

The Honorable Joseph J. Farnan Jr.
United States District Court
844 North King Street
Lock Box 27
Wilmington, DE 19801

Re: Terry L. Snyder v. CitiSteel U.S.A. Inc.
C.A. No. 04-970-JJF

Dear Judge Farnan:

The parties in the above-referenced case completed summary judgment briefing on January 16, 2007. I write the Court regarding one of the documents contained in the appendix filed simultaneously with Plaintiff's Answering Brief filed in opposition to Defendant's Motion for Summary Judgment. (D.I. 98, 100). At pages B2-35 of the appendix, Plaintiff included what she has identified as "Transcript of Conversation between Ms. Snyder and Mr. Harris." (D.I. 100).

The "transcript" was one of several similar documents generated by my office during discovery. During discovery, Plaintiff produced several audio tape recordings, identified as P506-510. Plaintiff later clarified that she believed only two of the tapes were relevant to this case. One tape is a recording of what Plaintiff claims are the voices of herself and Harris. This conversation was recorded by Snyder without Harris' knowledge nor consent. The second tape, as claimed by Plaintiff, contains a partial recording of a meeting between herself, Mr. Downie, HR Manager, and another CitiSteel employee Mr. Ryan.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

The Honorable Joseph J. Farnan Jr.

January 23, 2007

Page 2

Due to the low quality of the recording, my office internally generated the document contained in Plaintiff's appendix (B2-35). Plaintiff's counsel agreed to have Ms. Snyder review these "transcripts," indicate in writing any corrections she believed needed to be made and return those corrections to my office. Upon receipt of Plaintiff's edits, Defendant could make additional edits if appropriate. This procedure was made at my suggestion in an attempt to generate a written record of the conversations contained on the tapes. Counsel for both parties agreed to this procedure in late August 2006.

Plaintiff did not comply with the agreed upon procedure. Pages B2-35 were never returned to me with Plaintiff's edits, despite several requests and despite the assurances by both Plaintiff and Plaintiff's counsel that such edits were forthcoming.

At this time, Defendant anticipates that it may likely file a Motion to Strike Pages B2-35 of Plaintiff's Appendix, due to the fact that the tape itself has not been authenticated, the unreliability of the transcript language as it was not produced by an authorized court reporter, and the failure of Plaintiff to complete the procedure as previously agreed. If, in fact, Defendants do file a Motion to Strike, it will do so on or before Friday, February 2, 2007, realizing that briefing on this Motion should be completed without delay so as not to protract Your Honor's ruling on summary judgment.

Counsel, as always, is available at any time should the Court have any questions or concerns.

Respectfully submitted,

/s/ Margaret M. DiBianca

Margaret M. DiBianca (No. 4539)

MMD:y

cc: Lori L. Brewington, Esquire (via EM/CEF)